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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/807,218

03/22/2004

James D. Guilford

Intel-023PUS

3297

7590 02/05/2008  
Daly, Crowley & Mofford, LLP  
c/o PortfolioIP  
P.O. Box 52050  
Minneapolis, MN 55402

EXAMINER

INGBERG, TODD D

ART UNIT

PAPER NUMBER

2193

MAIL DATE

DELIVERY MODE

02/05/2008

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

MN

<b>Interview Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/807,218	GUILFORD, JAMES D.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Todd Ingberg	2193	

All participants (applicant, applicant's representative, PTO personnel):

(1) Todd Ingberg. (3)\_\_\_\_\_

(2) Anthony Moosy. (4)\_\_\_\_\_

Date of Interview: 01 February 2008.

Type: a) ☒ Telephonic b) ☐ Video Conference  
 c) ☐ Personal [copy given to: 1) ☐ applicant 2) ☒ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☒ No.  
 If Yes, brief description: \_\_\_\_\_

Claim(s) discussed: 5 and 6.

Identification of prior art discussed: UPSN #5,530,866.

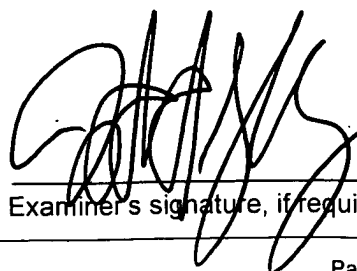
Agreement with respect to the claims f) ☒ was reached. g) ☐ was not reached. h) ☐ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: See Attachment.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN A NON-EXTENDABLE PERIOD OF THE LONGER OF ONE MONTH OR THIRTY DAYS FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.

  
 Examiner's signature, if required

### ***Interview Summary***

Applicant's main point was that the invention is an "assembler" not a "compiler". The Koblenz reference explicitly states "compiler phase" and does not explicitly mention an assembler.

With Applicant's distinction that their invention is only directed toward an assembler.

Examiner agreed that under a strict view of U.S.C. § 102, the reference is not explicit to "assembler code" (claim 1). The Examiner stated it would be more appropriate to be written as a rejection under U.S.C. § 103. With the interpretation of being able to read a compiler eliminated from the prosecution, the Examiner agreed to write a non final action with this agreement.

The Examiner mentioned the college text book (Red Dragon) and specifically the Cousins of Compilers section. Furthermore, the Examiner mentioned techniques applied to compilers do apply to assemblers. The section the Examiner was referencing is provided. As is Chapter 6 of Intel's Itanium technology. Chapter 6 covers the Itanium Compiler. This too is included in the Applicant's argument, that their invention does not include compilers.

Claims 5 and 6 were discussed. Applicant is to provide more detail on the limitation "odd length connecting the registers adjacent to each other having the same color." in the response.

### ***Correspondence Information***

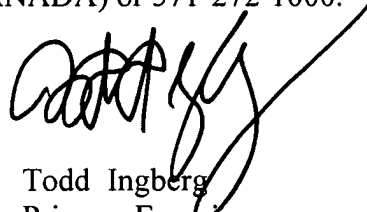
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Todd Ingberg whose telephone number is (571) 272-3723. The examiner can normally be reached on during the work week..

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Meng-Ai An can be reached on (571) 272-3756. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Todd Ingberg  
Primary Examiner  
Art Unit 2193

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